

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Coop. Deptt- Representation of Sri Saladi Narayana Murthy, Ex-President, Uppalaguptam PACS, Uppalaguptam (V) & (M), E.G., District. - Request for appointment of Non Official PIC with Sri Saladi Narayana Murthy and 4 remaining members of said Society in the place present Official as Person-In-Charge - Appointment - Orders – Issued.

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AGRICULTURE AND COOPERATION (COOP-V) DEPARTMENT

G.O.Rt.No. 896

Dated 09-08-2012.

Read the following:-

1. From Minister for Animal Husbandry Dairy Development, Fisheries & Veterinary University, D.O.Lr.N.33/M (AH, DD,F&VU) 2010, dated 10-01-2011, along with representation of Sri Saladi Narayana Murthy, Ex-President, Uppalaguptam PACS through the Min for Cooperation, Endt. No. 47/M (Coop)/11,dated 24-01-2011.
2. Govt., Memo.No.1206/Coop.V /2011 -1, dated 04-02-2011.
3. From the Commissioner for Cooperation and Registrar of Cooperative Societies, Hyderabad, Letter Rc.No.3240/PC-2, dated 31-03-2011, 24-06-2012 and 07-06-2012.
4. Representation of Sri Saladi Narayana Murthy, Ex-President of PACS, Uppalaguptam, East Godavari District dated 13-07-2012.

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ORDERS:-

In the reference 1st read above, Sri Saladi Narayana Murthy, Ex-President, and 4 Members of Uppalaguptam Primary Agricultural Cooperative Credit Societey, Uppalaguptam (Mandal) & (Village), East Godavari District have stated that the democratically elected Members of the Managing Committee of the said Society on 26-10-2005 till 26-10-2010. Due to some political reasons the majority of the members of the society 8 members were resigned from the Governing Body. The Resignations were accepted by the Deputy Registrar of Cooperative Societies, Amalapuram and he has appointed a Official Person-in-Charge Under Section 32(7) (a) of APCS Act 1964. Therefore, they were requested to grant Stay on the orders of the Deputy Registrar of Cooperative Societies, Amalapuram and to appoint the remaining committee members of the society and the President as PIC of the society. The Commissioner for Cooperation and Registrar of Cooperative Societies, Hyderabad was requested to furnish his remarks on the representation of Sri Saladi Narayana Murthy, Ex-President of Uppalaguptam in the reference 2nd read above.

2. In the reference 3rd read above, the Commissioner for Cooperation and Registrar of Cooperative Societies, Hyderabad has stated that Sri Saladi Satyanarayana Murthy was elected as President of the Society and continued in the said post from 14-12-2007 up to 01-01-2011. On 25-09-2009 a resolution was passed in the General Body of the Society, for donating the society land to an extend of 3.5 cents to the District Cooperative Central bank for the purpose of construction of it's branch at Uppalaguptam. Out of a total number of (7273) members a number of 218 members only have attended to the General Body meeting and given their consent in this regard and the official quorum of 1/10th of the total members as per Rule 23 of APCS rules is not maintained.

3. Further a number of (8) directors out of 13 have resigned to their posts. Hence, the deputy Registrar, Amalapuram has appointed an Official Person-in-Charge under Section 32 (7) (a) of APCS Act 1964 as there is no quorum with the resignations of the maximum number of directors.

4. Sri Saladi Satyanarayana Murthy, Ex-President and 4 other Directors of Uppalaguptam PACS who have not resigned, approached the Government to grant stay on the orders dated 01-01-2011 of the Deputy Registrar of Cooperative Societies, Amalapuram and to appoint them as PIC Committee to manage the affairs of the Society.

5 The Commissioner for Cooperation and Registrar of Cooperative Societies, Hyderabad has requested the Government to take appropriate action in appointing the PIC Committee with the remaining 4 elected Directors who have not resigned.

6. During the course of hearing held on 13-07-2012 with concerned parties, the Advocate for the petitioner submitted that the Rule 7(3) clearly contemplates that, if the supersession is on the ground of lack of quorum, due to resignation of the majority of the members, the President does not get superceded for lack of quorum. Being such provisions, without due notice to the President, the authority appointed the official committee contrary to the settled principle of law. Further, it revealed from the 51 enquiry report conducted into the affairs of the society, that prima-facie there were no irregularities or violation of rules as alleged in the so-called petitions.

7. In the reference 4th read above, Sri Saladi Narayana Murthy, Ex-President, PACS Uppalaguptam, E.G, District has requested during the course of hearing on 13-07-2012 that to appoint him as president and the remaining 4 elected candidates as committee members as follows of the above said society .

Sl. No.	Name of the member	As Designated
1.	Sri Saladi Narayana Murthy, Ex-President	President
2.	Sri Chavatapalli Peraiah Naidu, S/o Suryanarayana Murthy	Member
3.	Sri Bonthu Laxminarayana S/o Chandra Rao	Member
4.	Sri Meke Nageswara Rao	Member
5.	Sri Rayudu Venkata Rao, S/o Rama Murthy	Member

8. Government after careful examination of the matter, it is observed that the procedure was not followed while superceding the Elected Committee. It appears that there is no malafied intention in allotting the society land to the DCCB for construction of its Branch Office at Uppalaguptam, even through the said allotment is not in accordance with rules. No financial irregularities and no misappropriation of funds are involved in this case. Responsibility lies with the Department to protect the rights of the elected committee members to promote the cooperative movement in a right way. Hence, the appeal petition submitted by Sri Saladi Satyanarayana Murthy is allowed. Accordingly, the Official PIC appointed by the Divisional Cooperative Officer, Amalapuram is set-aside and Sri Saladi Satyanarayan Murthy be appointed as President and the remaining 4

elected candidates as members of the said committee to meet the ends of natural justice.

9. The Commissioner for Cooperation and Registrar of Cooperative Societies, Andhra Pradesh, Hyderabad is requested to direct the District Cooperative Officer, East Godavari District for taking necessary further action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

I.Y.R. KRISHNA RAO
SPECIAL SECRETARY TO GOVERNMENT

To
The Commissioner for Cooperation and
Registrar of Cooperative Societies,
Andhra Pradesh, Hyderabad

Copy to the District Cooperative Officer,
Cooperative Department, E.G. District, Kakinada.

Copy to Sri Saladi Narayana Murthy, Ex-President,
Primary Agricultural Cooperation Credit
Societies Uppalaguptham,
Uppalaguptham (Manadal & Post), E.G. District.

(Through District Cooperative Officer, E.G. Dist., Kakinada)

Copy to the P.S. to Minister for Cooperation.

Copy to the P.S. to Special Chief Secretary to Govt., (AM&C)

// Forwarded :: By Order //

SECTION OFFICER